

DETAILED ACTION

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/28/08 has been entered.
- Claims 1-4, 6, 10-17, 19-20, 23-30, 32, 33, 36-39, 41-44, 46-48 are presented for further examination.

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6, 10-17, 19-20, 23-30, 32, 33, 36-39, 41-44, and 46-48 have been considered but are moot in view of the new ground(s) of rejection.

Claim 7 was subject for allowance for the last office action dated on 12/28/07. However, due to the amendments made on 3/28/08, the allowable subject is now withdrawn.

Please view the attached interview summary.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention Claims 14-17, 19, 20, 23-26, 41-44, and 46 are directed to non-statutory subject matter.

Claims 14-17, 19, 20, 23-26, 41-44, and 46 are rejected under 35 U.S.C 101 because according to the specification, client software, a download manager, a mechanism in the client software are preferably configured as a software framework. "An apparatus" comprising client software, a download manager, a mechanism in the client software (i.e., software) does not include any functional hardware structure, An Apparatus (i.e., machine) comprising software is considered as program per se, which is not one of the categories of statutory subject matter.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4, 6, 10-17, 19-20, 23-30, 32, 33, 36-39, 41-44, and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the manager" in Line 8. There is insufficient antecedent basis for this limitation in the claim.

It should be "a manager", correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 27-30, 32, 33 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. et al hereinafter Flowers (US 2003/0105812) in view of Kimchi et al hereinafter Kimchi (US 2002/0120760) in further view of Russel (US 2002/0069420).

I. Referring to Claim 1, Flowers disclosed (a) using client software (refer to 0173) operating in a first device and a second device to connect a first user of the first device (user's PC refer to 0056) to a second user of the second device (PDA, refer to 0056), in a peer-to-peer collaboration session (peer-to-peer session, refer to 0062) including the first user and second user without an intervening server (refer to 0053), the first user having a first collaboration identity in a shared space and the second user having a second collaboration identity in the shared space (each user has two identify, one is its IP address, and another one is called a magic number, refer to 0157 and 0155).

(b) downloading from the management server to the client software operating in the first device a definition file containing a definition of the managed entity (a list of community members, refer to 200), and

(c) associating a management identity in the definition file with the first collaboration identity or first device information in the client software operating in the first device in order to create the managed entity, the management identity associated with the managed entity being different than the first collaboration identity, the management identity allowing the first user or first device to

be identified by the management server (it allows the server to see the device's presences, refer to 0200); and

(d) interacting, between the management server and the client software using the management identify (refer to 0200), to exchange management information separately from the collaborative information exchanged between the first user and the second user (refer to 0200 and 0201)

Although Flowers disclosed the invention substantially as claimed, Flowers is silent regarding wherein the exchanged management information comprises a policy restriction file, wherein interacting further comprises: i) creating a client list of policy restrictions in the client software of the managed user; ii) sending the client list to the management server; iii) creating a server list of policy restrictions in the management server; iv) comparing the client list to the server list; and v) adjusting and synchronizing the policy restrictions in the client software based on the comparison on step iv);

Kimchi, in an analogous art disclosed "wherein the exchanged management information comprises at least one member of a group comprising a policy restriction file (refer to 0267) wherein the interaction further comprises i) creating a client list of policy restriction in client software of the managed user (client must already created a list, refer to 0267); ii) sending the client list to the management server (refer to 0267) iii) creating a server list of policy restrictions in the management server (server list must've already been created in order for comparing step to happen, refer to 0267); iv) comparing the client list to the server list (refer to 0267) v) adjusting and synchronizing the policy restriction in the client software based on the comparing on step iv) (refer to deleting the local policy list, refer to 0267 and 0404);

Hence, providing functionalities disclosed by Kimchi, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027)

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Flowers by including the features presented by Kimchi.

Although Flowers and Kimchi disclosed the invention substantially as claimed, they did not explicitly disclose "in response to information in the policy restriction file, restricting at least one function in the client software"

Russel, in analogous art, disclosed "in response to information in the policy restriction file, restricting at least one function in the client software"(refer to 0105)

Hence, providing the methods as disclosed by Russell, would be desired for server providing the restriction file so that the users are forced to follow the policy.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the systems of Flowers and Kimchi by including the features which allows the user to be restricted while accessing the system in order to provide privacy and forced the users to follow the policy.

2. Referring to Claims 27, 32 and 33, Flowers disclosed (a) using client software (refer to 0173) operating in a first device and a second device to connect a first user of the first device (user's PC refer to 0056) to a second user of the second device (PDA, refer to 0056), in a peer-to-peer collaboration session (peer-to-peer session, refer to 0062) including the first user and second user without an intervening server (refer to 0053), the first user having a first

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collaboration identity in a shared space and the second user having a second collaboration identity in the shared space (each user has two identify, one is its IP address, and another one is called a magic number, refer to 0157 and 0155).

(b) downloading from the management server to the client software operating in the first device a definition file containing a definition of the managed entity (a list of community members, refer to 200), and

(c) associating a management identity in the definition file with the first collaboration identity or first device information in the client software operating in the first device in order to create the managed entity, the management identity associated with the managed entity being different than the first collaboration identity, the management identity allowing the first user or first device to be identified by the management server (it allows the server to see the device's presences, refer to 0200); and

(d) interacting, between the management server and the client software using the management identify (refer to 0200), to exchange management information separately from the collaborative information exchanged between the first user and the second user (refer to 0200 and 0201)

Although Flowers disclosed the invention substantially as claimed, Flowers is silent regarding wherein the exchanged management information comprises a policy restriction file, wherein interacting further comprises: i) creating a client list of policy restrictions in the client software of the managed user; ii) sending the client list to the management server; iii) creating a server list of policy restrictions in the management server; iv) comparing the client list to the server list;

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and v) adjusting and synchronizing the policy restrictions in the client software based on the comparison on step iv);

Kimchi, in an analogous art disclosed "wherein the exchanged management information comprises at least one member of a group comprising a policy restriction file (refer to 0267) wherein the interaction further comprises i) creating a client list of policy restriction in client software of the managed user (client must already created a list, refer to 0267); ii) sending the client list to the management server (refer to 0267) iii) creating a server list of policy restrictions in the management server (server list must've already been created in order for comparing step to happen, refer to 0267); iv) comparing the client list to the server list (refer to 0267) v) adjusting and synchronizing the policy restriction in the client software based on the comparing on step iv) (refer to deleting the local policy list, refer to 0267 and 0404);

Hence, providing functionalities disclosed by Kimchi, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027)

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Flowers by including the features presented by Kimchi.

Although Flowers and Kimchi disclosed the invention substantially as claimed, they did not explicitly disclose "in response to information in the policy restriction file, restricting at least one function in the client software"

Russel, in analogous art, disclosed "in response to information in the policy restriction file, restricting at least one function in the client software" (refer to 0105)

Hence, providing the methods as disclosed by Russell, would be desired for server providing the restriction file so that the users are forced to follow the policy.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the systems of Flowers and Kimchi by including the features which allows the user to be restricted while accessing the system in order to provide privacy and forced the users to follow the policy.

3. Referring to Claims 2 and 28, Flowers disclosed wherein the managed entity is a managed user (peer to peer, managed by the server, refer to 0062) and the definition information file is an injectible identity file (a list of community members in a file, refer to 200) and the act (c) of associating comprises incorporating information from the injectible identity file into a user account file (it is obvious that after user has enter their information refer to 0063, the definition information file that the user gathered from server will be associated with the user account information).

4. Referring to Claims 3 and 29, Flowers disclosed wherein the managed entity is a managed device (peer to peer, managed by the server, refer to 0062) and the definition file is a device information file (a list of community members in a file, refer to 200).

5. Referring to Claims 4 and 30, Flowers disclosed wherein act (c) if associating comprises incorporating information from the device file into a Windows REG file (it is inherent that Windows Operating System provides the Windows Reg Files, 0121, also, it is obvious that after

user has enter their information, the definition information file that the user gathered from server will be associated with the user account information).

6. Referring to Claims 6 and 48, although Flowers and Kimchi disclosed the invention substantially as claimed, Flowers and Kimchi did not expressly disclosed "wherein the exchanged information is a license file and interacting comprises in response to information in the license file, and the method further comprises enabling at least one function in the client software"

Russell, in an analogous art disclosed "wherein the exchanged information is a license file and interacting comprises in response to information in the license file, and the method further comprises enabling at least one function in the client software (refer to 0037)"

Hence, providing the methods as disclosed by Russell, would be desired for server providing the restriction file so that the users are forced to follow the policy.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the systems of Flowers and Kimchi by including the features which allows the user to be restricted while accessing the system in order to provide privacy and forced the users to follow the policy.

Claims 10-13, 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. et al hereinafter Flowers (US 2003/0105812) in view of Kimchi et al hereinafter Kimchi (US 2002/0120760) in further view of Russel (US 2002/0069420) and Williams (US 2003/0069821).

7. Referring to Claim 10 and 37, Flowers disclosed "wherein the management information comprises event notifications and statistical information and interacting to exchange management information comprises: (i) receiving event notifications and statistical information from the client software of the managed user to the management server (refer to 0027)".

Although Flowers, Kimchi and Russel disclosed the invention substantially as claimed, they are silent in regarding "periodically exchange information"

Williams, in analogous art, disclosed "periodically monitoring " (refer to 0035).

Hence, providing functionalities disclosed by Williams, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027).

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the systems of Flowers, Kimchi and Russel by including the features presented by Williams.

8. Referring to Claims 11 and 36, Flowers disclosed wherein the management information comprises event notifications and statistical information and interacting to exchange management information comprises: (i) receiving event notifications and statistical information from the client software of the managed user to the management server (refer to 0195).

Although Flowers, Kimchi and Russel disclosed the invention substantially as claimed, they are silent in regarding "periodically exchange information"

Williams, in analogous art, disclosed "periodically monitoring " (refer to 0035).

Hence, providing functionalities disclosed by Williams, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027).

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the systems of Flowers, Kimchi and Russel by including the features presented by Williams.

9. Referring to Claims 13 and 39, Flowers disclosed wherein event notifications and statistical information are temporarily stored in a memory located at a client site (the notification has to store in the memory).

10. Referring to Claims 12 and 38, although Flowers and Kimchi are silent regarding wherein the event notifications include error notification.

Russell, in an analogous art disclosed wherein the event notification wherein the event notifications include error notification (refer to 0107);

Hence, providing the methods as disclosed by Russell, would be desired to provide a error notification that include error notification since in the case when the license expired would require user to update the newest license.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Flowers and Kimchi and by including the features which provide the error notification in the system in the case when the file is expired.

Claims 14-17, 19, 20, 41-44, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. et al hereinafter Flowers (US 2003/0105812) in view of Russel (US 2002/0069420).

11. Referring to Claim 14, Flowers disclosed (a) using client software (refer to 0173) operating in a first device and a second device to connect a first user of the first device (user's PC refer to 0056) to a second user of the second device (PDA, refer to 0056), in a peer-to-peer collaboration session (peer-to-peer session, refer to 0062) including the first user and second user without an intervening server (refer to 0053), the first user having a first collaboration identity in a shared space and the second user having a second collaboration identity in the shared space (each user has two identify, one is its IP address, and another one is called a magic number, refer to 0157 and 0155).

(b) a download manager that downloads from the management server to the client software operating in the first device a definition file containing a definition of the managed entity (a list of community members, refer to 200), and

(c) a mechanism in the client software that associating the definition file with the first collaboration identity or first device information in order to create the managed entity, the management identity associated with the managed entity being different than the first collaboration identity, the management identity allowing the first user or first device to be identified by the management server (it allows the server to see the device's presences, refer to 0200); and

(d) a mechanism that exchanges information relating to (refer to 0200) to the managed entity between the client software and the management software using the management identity (refer to 0200 and 0201), the information relating to monitoring operation of the managed entity and/or synchronizing the managed entity with information on the management server, the exchange information being associated with the identify of the managed entity.

Although Flowers disclosed the invention substantially as claimed, Flower did not explicitly disclose "in response to information in the policy restriction file, restricting at least one function in the client software"

Russel, in analogous art, disclosed "the exchange information comprising at least a policy restriction file, and in response to information in the policy restriction file, restricting at least one function in the client software"(refer to 0105)

Hence, providing the methods as disclosed by Russell, would be desired for server providing the restriction file so that the users are forced to follow the policy.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Flowers by including the features which allows the user to be restricted while accessing the system in order to provide privacy and forced the users to follow the policy.

12. Referring to Claims 41 and 46, Flowers disclosed (a) using client software (refer to 0173) operating in a first device and a second device to connect a first user of the first device (user's PC refer to 0056) to a second user of the second device (PDA, refer to 0056), in a peer-to-peer collaboration session (peer-to-peer session, refer to 0062) including the first user and second user

without an intervening server (refer to 0053), the first user having a first collaboration identity in a shared space and the second user having a second collaboration identity in the shared space (each user has two identify, one is its IP address, and another one is called a magic number, refer to 0157 and 0155).

(b) a download manager that downloads from the management server to the client software operating in the first device a definition file containing a definition of the managed entity (a list of community members, refer to 200), and

(c) a mechanism in the client software that associating the definition file with the first collaboration identity or first device information in order to create the managed entity, the management identity associated with the managed entity being different than the first collaboration identity, the management identity allowing the first user or first device to be identified by the management server (it allows the server to see the device's presences, refer to 0200); and

(d) a mechanism that exchanges information relating to (refer to 0200) to the managed entity between the client software and the management software using the management identity (refer to 0200 and 0201).

Although Flowers disclosed the invention substantially as claimed, Flower did not explicitly disclose "exchange information comprising a policy restriction file; in response to information in the policy restriction file, restricting at least one function in the client software"

Russel, in analogous art, disclosed "the exchange information comprising at least a policy restriction file, and in response to information in the policy restriction file, restricting at least one function in the client software"(refer to 0105)

Hence, providing the methods as disclosed by Russell, would be desired for server providing the restriction file so that the users are forced to follow the policy.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the systems of Flowers by including the features which allows the user to be restricted while accessing the system in order to provide privacy and forced the users to follow the policy.

13. Referring to Claims 15 and 42, Flowers disclosed wherein the managed entity is a managed user (peer to peer, managed by the server, refer to 0062) and the definition information file is an injectible identity file (a list of community members in a file, refer to 200) and the act (c) of associating comprises incorporating information from the injectible identity file into a user account file (it is obvious that after user has enter their information refer to 0063, the definition information file that the user gathered from server will be associated with the user account information).

14. Referring to Claims 16 and 43, Flowers disclosed wherein the managed entity is a managed device (peer to peer, managed by the server, refer to 0062) and the definition file is a device information file (a list of community members in a file, refer to 200).

15. Referring to Claims 17 and 44, Flowers disclosed wherein act (c) if associating comprises incorporating information from the device file into a Windows REG file (it is inherent that Windows Operating System provides the Windows Reg Files, 0121, also, it is obvious that after user has enter their information, the definition information file that the user gathered from server will be associated with the user account information).

16. Referring to Claims 47 and 49, although Flowers disclosed the invention substantially as claimed, Flowers did not expressly disclosed "wherein the exchanged information is a license file and interacting comprises in response to information in the license file, and the method further comprises enabling at least one function in the client software"

Russell, in an analogous art disclosed "wherein the exchanged information is a license file and interacting comprises in response to information in the license file, and the method further comprises enabling at least one function in the client software (refer to 0037)"

Hence, providing the methods as disclosed by Russell, would be desired for server providing the restriction file so that the users are forced to follow the policy.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the systems of Flowers by including the features which allows the user to be restricted while accessing the system in order to provide privacy and forced the users to follow the policy.

Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. et al hereinafter Flowers (US 2003/0105812) in view of Russel (US 2002/0069420) in further view of Williams (US 2003/0069821).

17. Referring to Claim 24, Flowers disclosed wherein the management information comprises event notifications and statistical information and interacting to exchange management information such as receiving event notifications and statistical information from the client software of the managed user to the management server (refer to 0195).

Although Flowers and Russel disclosed invention substantially as claimed, they did not expressly indicate “periodically receiving information.”

Williams, in analogous art, disclosed “periodically receiving information.”(refer to 0035)

Hence, providing functionalities disclosed by Williams, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027)

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the systems of Flowers and Russel by including the features presented by Kimchi.

18. Referring to Claim 26, Flowers disclosed wherein event notifications and statistical information are temporarily stored in a memory located at a client site (the notification has to stored in the memory).

19. Referring to Claim 25, although Flowers is silent regarding wherein the event notifications include error notification.

Russell, in an analogous art disclosed wherein the event notification wherein the event notifications include error notification (refer to 0107);

Hence, providing the methods as disclosed by Russell, would be desired to provide a error notification that include error notification since in the case when the license expired would require user to update the newest license.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to have modified the system of Flowers by including the features which provide the error notification in the system in the case when the file is expired.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. et al hereinafter Flowers (US 2003/0105812) in view of Russel (US 2002/0069420) in further view of Kimchi et al hereinafter Kimchi (US 2002/0120760).

20. Referring to Claim 20, Flower and Russel disclosed the apparatus of Claim 14. Although Flowers and Russel disclosed the invention substantially as claimed, Flowers and Russel are silent regarding wherein the exchanged management information comprises a policy restriction file, wherein interacting further comprises: i) creating a client list of policy restrictions in the client software of the managed user; ii) sending the client list to the management server; iii) creating a server list of policy restrictions in the management server; iv) comparing the client list to the server list;

and v) adjusting and synchronizing the policy restrictions in the client software based on the comparison on step iv);

Kimchi, in an analogous art disclosed "wherein the exchanged management information comprises at least one member of a group comprising a policy restriction file (refer to 0267) wherein the interaction further comprises i) creating a client list of policy restriction in client software of the managed user (client must already created a list, refer to 0267); ii) sending the client list to the management server (refer to 0267) iii) creating a server list of policy restrictions in the management server (server list must've already been created in order for comparing step to happen, refer to 0267); iv) comparing the client list to the server list (refer to 0267) v) adjusting and synchronizing the policy restriction in the client software based on the comparing on step iv) (refer to deleting the local policy list, refer to 0267 and 0404);

Hence, providing functionalities disclosed by Kimchi, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027)

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Flowers and Russel by including the features presented by Kimchi.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. et al hereinafter Flowers (US 2003/0105812) in view of Russel (US 2002/0069420) in further view of Kimchi et al hereinafter Kimchi (US 2002/0120760) and Williams (US 2003/0069821).

21. Referring to Claim 23, Flowers disclosed wherein the management information comprises event notifications and statistical information and interacting to exchange management information such as receiving event notifications and statistical information from the client software of the managed user to the management server (refer to 0195).

Although Flowers, Russel, and Kimchi disclosed invention substantially as claimed, they did not expressly indicate “periodically receiving information.”

Williams, in analogous art, disclosed “periodically receiving information.”(refer to 0035)

Hence, providing functionalities disclosed by Williams, would be desirable for a user to implement in order for system to provides a better centralized administration and policy management control in the system (Flowers, refer to 0027)

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Flowers, Russel and Kimchi by including the features presented by Williams.

Conclusion

Examiner's Notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the

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claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/K. C. T./

Examiner, Art Unit 2151

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/John Follansbee/

Supervisory Patent Examiner, Art Unit 2151